HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE G.V.SEETHAPATHY

WRIT PETITION NO.14401 OF 2006

Between:

Ravipudi Srinivasa Rao

. . .Petitioner

AND

Government of Andhra Pradesh and others

. . .Respondents

Counsel for the petitioner : Smt Kavitha Gottipati

Counsel for the respondent Nos.1to4 : Government Pleader for Panchayat Raj

Dated: 28th July, 2006

: ORDER :

PER G.S.SINGHVI, CJ

In this petition, the petitioner has prayed for issue of mandamus to the respondents to include his name in the voters list of Nakkalapalem Village, Inkollu Mandal, Prakasam District.

We have heard learned counsel for the parties and perused the record.

In the affidavit filed by him, the petitioner has averred that he had submitted application to the Revenue Divisional Officer-cum-Electoral Registering Authority on 10.07.2006 for inclusion of his name in the voters list of Nakkalapalem Village.

In our opinion, on the basis of application made by the petitioner on 10.07.2006, it is not possible to issue a direction to the respondents to include his name in the voters list and allow him to cast vote in the forthcoming elections because notification for holding elections for Gram Panchayats was issued on 09.07.2006 i.e. one day before submission of application by the petitioner.

We are further of the view that it is not possible to entertain the prayer made by the petitioner because State Election Commission which is empowered to supervise, direct and control the elections in terms of Article 243-K (1) read with Section 201 of Andhra Pradesh Gram Panchayat Act, 1994 has not been impleaded as party to the writ petition.

For the reasons stated above, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P.No.17930 of 2006 filed for directing the respondents to forthwith include the name

of the petitioner in the voters list of Nakkalapalem Village, Inkollu Mandal, Prakasam District is also dismissed.

G.S.SINGHVI, CJ

G.V.SEETHAPATHY, J

Date: 28.07.2006

kvni